

# ***LUNENBURG PLANNING BOARD***

## ***TOWN OF LUNENBURG***

Emerick R. Bakaysa, Chair  
Joanna L. Bilotta, Vice-Chair  
Thomas W. Bodkin, Jr., Clk.  
Robert J. Saiia, Mbr.  
Nathan J. Lockwood, Mbr.  
Marion M. Benson, Planning Director



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960 Massachusetts Avenue  
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Minutes  
January 25, 2010

Meeting Posted: Yes

Place: Ritter Memorial Building, 960 Massachusetts Avenue, Lunenburg, MA 01462

Time: 6:30 PM

**ROLL CALL:** Joanna L. Bilotta, Thomas W. Bodkin Jr., Robert J. Saiia, Nathan J. Lockwood, Marion M. Benson

Absent: Emerick R. Bakaysa

**MINUTES – APPROVAL:** Signed 1/11/10, Motion, Mr. Saiia, Second, Mr. Bodkin Jr., Motion passed. Signed Executive 1/11/10, Motion, Mr. Saiia, Second, Mr. Bodkin Jr., Motion passed. Signed 12/14/09, Motion, Mr. Saiia, Second, Mr. Bodkin Jr., Executive 12/14/09, Motion, Mr. Saiia, Second, Mr. Bodkin Jr., and 12/29/09, Motion, Mr. Saiia, Second, Mr. Lockwood, which were approved by the Board at the 1/11/10 meeting.

**APPOINTMENT:** ANR- Frank & Debra McDonald, 1065 Northfield Rd- Plan accepted for review.

### **NOTICES and COMMUNICATIONS:**

Noted MassHousing timeframe extension for construction commencement to January 12, 2011, for Lunenburg Estates, LLC.  
Noted report from Town Manager referring to Governor Patrick's budget proposal for local aid and education.

### **COMMITTEE REPORTS:**

**Capital Planning Committee-** Director noted presentation from Technology Director for 1/26/10 meeting. The Committee will also prioritize all requests on that date.

**CWMP-** No report

**MJTC-** Mr. Saiia reported on prevailing wage law discussions at MJTC; copy of correspondence on file. Also presented was the Traffic Study and Signal Warrant analysis (copy on file).

### **PLANNING DIRECTOR'S REPORTS/NEW BUSINESS:**

**198 Summer Street-** Director presented Applications for a Special Permit and Development Plan Review for a new use at 198 Summer Street. The Applications were presented at this meeting. The Applicant is United Solutions, principal, Edward Zephir. The company is purchasing the land and structures from Dietrich Associates. United is located in Leominster, MA, Sardis, Mississippi, and Gilbert, Arizona and is a supplier of plastic house wares. The Leominster site will transport plastic pellets to the property by rail car. The pellets will be stored in the cars until transported to the manufacturing facilities. The product, when manufactured, will be returned to the Lunenburg building site to be stored and distributed to United's customers. The Company's short- and long- range plans are to assemble and package finished plastic products on the property for distribution to its customers. Within five years, United will perform injection molding at the property. Storage silos will be needed at that time. United will also be looking to present a building plan for additional space. Presently the operation will need to run 24 hours/day, 7 days/week. Director reported on a preliminary tech meeting as noted for information at Applicant's request. Discussion was on permits needed; especially fire permits, traffic concerns, sewer allocation, parking, etc.

**Ethics Commission-** Director noted third correspondence from Kopelman & Paige Attorney Brian Riley clarifying the issue of designation of the position as Special Municipal Employee instead of a particular individual. Clarification was also given regarding the 800 hour requirement, which is not an accumulation of all reviews, but for individual reviews. The question regarding allowing the peer reviewer to present to the Planning Board, the Attorney states, "while a consulting engineer is serving as a peer review consultant to the Planning Board, a partner from his or her firm may appear and represent a client before the Planning Board, but only if that particular matter will not be acted upon in any way by the consultant. The consultant may not review or comment on his partner's project, evaluate any plans, etc". Complete correspondence on file in Planning Office. A Select Board member present at the meeting noted she was uncomfortable with the Town Attorney's response to the issue and requested input from Planning Board members. Copies of Attorney Riley's three letters will be sent via electronic mail to the members. Director noted that the Special Municipal Employee is a Select Board appointment.

**Green Community Task Force-** Director reported that a meeting was held with Felipe Schwarz, Grant Consultant appointed by the State to assist the Town in becoming a "Green Community" under the criteria set forth by the State. The issue is mainly the Stretch Code, which will be discussed at the next meeting.

#### **DEVELOPMENT STATUS REPORTS:**

**Emerald Place at Lake Whalom-** Progress reports show the following: December- rip rap construction entrance, grubbing and stockpiling of stumps, fuel containment area constructed, construction of temporary sedimentation basins; beginning January- continued stripping and stockpiling of loam at Roadway "A" and "P" Access Road, stump grinding, commencement of roadway fills (weather permitting); mid-January- stripping and stockpiling loam at building footprint areas, commence exporting excess topsoil and subsoil. Overburden will be removed. Tri Party Account has been set up. Unit numbering is being prepared by the Building Department

**Stone Farm-** Progress reports indicate continuing work on unfinished units.

**Tri Town Landing-** Great Bridges is finalizing paperwork and closings with Department of Housing and Community Development (DHCD). Questions posed regarding the proposed fire road behind the buildings as a mitigation measure and requested by the Fire Chief. The question of easements arose. Research noted that since it is Town-owned property, and will remain Town-owned property accessible only by the Department of Public Works (DPW), and Fire and Police Departments, only a license to construct will be necessary. It was further noted that as this proposal is in Phase 3 of the project, construction of a fire road will not be initiated until that time. (Noted on plan is wording "proposed easement"- this can be corrected if found a concern.) Presently the Planning Board has no knowledge of the developer for Phase 3. Question also posed concerning water; Fitchburg will be the supplier through the Town of Lunenburg Water Department (letter on file).

#### **UNFINISHED BUSINESS:**

See above Planning Director's Reports and Development Status Reports.

**DATA INFORMATION & GENERAL DISCUSSION:** Procedure of Approval Not Required (ANR) plans on non-conforming lots.

**ADJOURNMENT:** Motion, Mr. Bodkin Jr., Second, Mr. Lockwood, adjournment 8:30 PM.